

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
EASTERN DIVISION

ROBERT ROSS, Individually and On Behalf)	No. 2:05-cv-00819-EAS-TPK
of All Others Similarly Situated)	(Consolidated)
)	
Plaintiff,)	<u>CLASS ACTION</u>
)	
vs.)	JUDGE EDMUND SARGUS, JR.
)	MAGISTRATE JUDGE TERENCE KEMP
ABERCROMBIE & FITCH COMPANY, et)	
al.,)	
)	
Defendants.)	
)	
)	

LEAD PLAINTIFF'S MOTION FOR LEAVE TO FILE MATERIALS UNDER SEAL

Lead Plaintiff City of Dearbon Heights Act 345 Police & Fire Retirement System respectfully moves the Court for an Order, *instanter*, permitting manual and under seal filing of: (1) portions of its Motion to Compel the Production of Missing Documents (the “Motion”); and (2) the Declaration of Brian K. Murphy in Support of Plaintiff’s Motion to Compel the Production of Missing Documents (“Declaration”) and each of the exhibits attached thereto. Portions of the Motion and the exhibits to the Declaration contain confidential information that is protected by and subject to the Protective Order entered November 9, 2007 (Docket #153). Accordingly, the purpose of this request is to ensure the confidentiality of the information as required by the Protective Order.

A proposed Order will be sent to Magistrate Judge Kemp via electronic mail pursuant to the Southern District of Ohio’s Electronic Filing Policies and Procedures Manual.

DATED: January 21, 2010

COUGHLIN STOIA GELLER
RUDMAN & ROBBINS LLP
ARTHUR C. LEAHY
ANNE L. BOX
LAURIE L. LARGENT
MICHAEL F. GHOZLAND
MATTHEW I. ALPERT

s/ MICHAEL F. GHOZLAND
MICHAEL F. GHOZLAND

655 West Broadway, Suite 1900
San Diego, CA 92101-4297
Telephone: 619/231-1058
619/231-7423 (fax)

Lead Counsel for Plaintiffs

MURRAY MURPHY MOUL + BASIL LLP
GEOFFREY J. MOUL (0070663)
BRIAN K. MURPHY (0070654)
1533 Lake Shore Drive
Columbus, OH 43204
Telephone: 614/488-0400
614/488-0401 (fax)

Liaison Counsel

VANOVERBEKE MICHAUD &
TIMMONY, P.C.
MICHAEL J. VANOVERBEKE
THOMAS C. MICHAUD
79 Alfred Street
Detroit, MI 48201
Telephone: 313/578-1200
313/578-1201 (fax)

Additional Counsel for Plaintiffs

Mailing Information for a Case 2:05-cv-00819-EAS-TPK

Electronic Mail Notice List

The following are those who are currently on the list to receive e-mail notices for this case.

- **Matthew Isaac Alpert**
malpert@csgrr.com
- **Laura M Andracchio**
lauraa@csgrr.com
- **Anne L Box**
anneb@csgrr.com
- **Philip Albert Brown**
pabrown@vssp.com, kyates@vssp.com, csbrandt@vssp.com
- **Alycia N Broz**
anbroz@vorys.com
- **Sara E Collier**
sec@federmanlaw.com
- **David Stewart Cupps**
dscupps@vssp.com
- **Dana E Deering**
ddeering@pdfslaw.com, sscalf@pdfslaw.com
- **Nadeem Faruqi**
nfaruqi@faruqilaw.com
- **Matthew L Fornshell**
mfornshell@szd.com
- **Sharon Garb**
sgarb@skadden.com
- **Stuart Gerson**
sgerson@ebglaw.com
- **Michael F Ghozland**
mghozland@csgrr.com, e_file_sd@csgrr.com
- **Jay B Kasner**
jkasner@skadden.com
- **Beth A Keller**

bkeller@faruqilaw.com

- **Mark Mathew Kitrick**
mkitrick@kitricklaw.com,deanna@kitricklaw.com
- **John Joseph Kulewicz**
jjkulewicz@vssp.com
- **Laurie Largent**
llargent@csgrr.com
- **Arthur C Leahy**
artl@csgrr.com
- **Albert Grant Lin**
aglin@vssp.com
- **Katherine G Manghillis**
kmanghillis@szd.com,prichardson@szd.com,bspencer@szd.com
- **Joseph Andrew Matteo**
jmatteo@skadden.com
- **Michelle M McCarron**
MMcCarron@csgrr.com
- **John Cooper McDonald**
jmcDonald@szd.com,vseckel@szd.com,jdingess@szd.com
- **E Kelly Mihocik**
kemihocik@vorys.com
- **Ted Minahan**
tedm@lerachlaw.com
- **Jamie R. Mogil**
jmogil@faruqilaw.com
- **Geoffrey J Moul**
moul@mmmb.com,tiffany@mmmb.com,osborn@mmmb.com
- **Brian K Murphy**
murphy@mmmb.com,tiffany@mmmb.com
- **Joseph F Murray**
murray@mmmb.com,tiffany@mmmb.com
- **William J Pohlman**
wjpohlman@vssp.com,kyconley@vorys.com,dmstash@vorys.com,csbrandt@vorys.com

- **Jennifer F Sherrill**
jfs@federmanlaw.com
- **Steven E Skwara**
sskwara@ebglaw.com
- **Roger Philip Sugarman**
rsugarman@keglerbrown.com
- **Michael Roy Szolosi , Sr**
mrs@mcnamaralaw.us
- **Robert Neal Webner**
RNWebner@vssp.com

Manual Notice List

The following is the list of attorneys who are **not** on the list to receive e-mail notices for this case (who therefore require manual noticing). You may wish to use your mouse to select and copy this list into your word processing program in order to create notices or labels for these recipients.

Gianetti Investor Group

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